

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

KESHA T. WILLIAMS,)	
)	
Plaintiff,)	
)	
v.)	
)	Civil Action No. <u>1:20-cv-01397 (CMH/TCB)</u>
XIN WANG, <i>et al.</i> ,)	
)	
)	
Defendants.)	
)	

**MEMORANDUM IN SUPPORT OF
JOINT MOTION TO EXTEND THE DISCOVERY PERIOD**

Pursuant to Federal Rule of Civil Procedure 6(b), Plaintiff Kesha T. Williams (“Plaintiff” or “Ms. Williams”) and Defendants Xin Wang and Deputy Garcia (“Defendants”; Plaintiff and Defendants collectively, “Parties”) respectfully submit this Memorandum in Support of their Motion to Extend the Discovery Period. In support of this. Motion, the Parties assert the following:

1. Plaintiff filed her Complaint in this matter on November 16, 2020. (Dkt. 1).
2. Each of the Defendants in this matter have filed motions to dismiss Plaintiff’s claim. (Dkt. 30, 41, 43).
3. This Court granted Sheriff Kincaid’s Motion to Dismiss on June 7, 2021. (Dkt. 52).
4. To date, this Court has not ruled on the motions to dismiss filed by the remaining Defendants in this matter: NP Wang and Deputy Garcia.
5. As a result of these outstanding motions to dismiss, Defendants Wang and Garcia have not filed Answers to Plaintiff’s Complaint.

6. On March 9, 2021, this Court entered a Scheduling Order requiring the Parties complete discovery by July 9, 2021. (Dkt. 33).
7. On June 30, 2021, the Parties filed a motion seeking an extension of the time to complete discovery in this matter. (Dkt. 56).
8. On July 1, 2021, this Court granted the Parties motion seeking an extension in part, granting the Parties until August 13, 2021 to complete discovery. (Dkt. 61).
9. The Parties were scheduled to appear for a hearing on Defendants' Motions to Dismiss on July 9, 2021.
10. On July 7, 2021, the Court informed the Parties those motions would be decided on the papers.
11. This Court has not yet ruled on those motions.
12. The Parties agree it runs counter to efficiency and judicial economy to conduct depositions before the Defendants have filed Answers to the Complaint and the asserted affirmative defenses. To do so will hamper counsels' ability to conduct appropriate depositions.
13. Counsel agrees that additional depositions of the Parties may be necessary if Answers are not filed until after the close of the discovery period.
14. Furthermore, for the purpose of judicial economy, the Parties have sought to avoid unnecessary discovery for those claims that may still be dismissed.
15. The Parties seek to extend the discovery deadline, now set as August 13, 2021, by forty-five (45) days. This would change the deadline for discovery to Monday, September 27, 2021.

16. This extension would permit the Court additional time to rule on Defendants' motions to dismiss so that both Parties may move forward and conduct discovery accordingly.

WHEREFORE, for the reasons stated herein, the Parties respectfully request that the discovery period in this matter be extended by forty-five (45) days.

Respectfully submitted,

Dated: August 2, 2021

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CERTIFICATE OF SERVICE

I hereby certify that, on August 2, 2021, I filed the above document via CM/ECF to be sent to the following:

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